

Lessons from regional approaches to managing missiles

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Despite (or perhaps because of) the failure of the last United Nations Panel of Governmental Experts on missiles to adopt a consensus report in mid-2004, the issue of missiles has remained on the front-burner for at least two reasons. First, the proliferation—both vertical and horizontal—of all types of missiles, evident in the frenetic pace of missile tests, has continued unabated. Although it is impossible to ascertain precisely how many and what kind of missiles have been tested over the past couple of years, conservative estimates based on open sources suggest more than 100 ballistic and cruise missiles of various sorts.¹ Prominent among these were over 30 tests (sometimes involving multiple missiles) each conducted by the Russian Federation and the United States. In addition, Iran spectacularly launched “dozens of missiles” as part of a military exercise in November 2006, which somewhat overshadowed even the Democratic People’s Republic of Korea’s (DPRK) launch of seven missiles in July 2006.² Finally, countries like Pakistan and the Republic of Korea, hitherto considered to be of concern on account of their ballistic missile ambitions, also unveiled potent cruise missiles in 2006.³ All these events ensured that the international community could not ignore the issue of missiles even if it wanted to.

Second, not surprisingly, there is ample evidence that the international community has remained seized of the issue of missiles through various political–diplomatic as well as military–technological initiatives, such as the Proliferation Security Initiative (PSI) and missile defence.⁴ In October 2004 the First Committee (Disarmament and International Security) of the United Nations General Assembly welcomed the adoption of the Hague Code of Conduct (HCOC) against ballistic missiles, invited all states to subscribe to it and sought further ways to “deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction”.⁵ The code was again endorsed by a United Nations General Assembly resolution in 2005.⁶ In addition, the United Nations First Committee adopted a resolution entitled “Missiles” in 2006 with 105 votes in favour, 6 against and 55 abstentions.⁷ This resolution took note of the report of the Secretary-General on the issue of missiles and sets the stage for the third UN Panel of Governmental Experts in 2007. In addition, the Security Council adopted resolution 1695 in July 2006 following the series of missile tests by the DPRK, which almost exclusively focused on Pyongyang’s ballistic missiles; resolution 1696 against Iran’s enrichment programme also focused on its missile capabilities; and resolution 1718 following the DPRK’s nuclear test also highlighted missile concerns.⁸ The Weapons of Mass Destruction Commission’s report devoted an entire section to missiles.⁹

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There is clearly a disconnect between ongoing, unfettered missile-related activities and efforts to address them. This state of affairs appears to reflect a serious limitation on the part of the international community to address the issue of missiles either in universal or individual terms. The most obvious reason for this is that “[n]o universal norm, treaty or agreement governing the development, testing, production, acquisition, transfer, deployment or use specifically of missiles exists”.¹⁰ The international community has taken on the unenviable task of enforcing rules, norms and regulations that are simply non-existent. Indeed, there is only a single instance in which the international community was able to address the issue of missiles effectively: Iraq. However, the single and exceptional experience of Iraq proves the rule.

The issue of missiles has instead been most effectively addressed at the unilateral or the bilateral level. The most apparent examples of this are South Africa and Libya, where both countries unilaterally opted to give up their strategic ballistic missile capabilities.¹¹ (South Africa’s actions were on account of an internally-driven regime change, while Libya’s were the result of a change in the policies of the existing regime.) The best example of action at the bilateral level is the Soviet Union–United States Intermediate-Range Nuclear Forces (INF) Treaty (signed in December 1987), which led to the elimination of *all* ballistic and land-based cruise missiles with a range between 500km and 5,500km.

Are such effective approaches possible only at the unilateral or bilateral level? Or could they be attempted at the global level? Despite the efforts of several arms control experts and scholars calling for a “globalized INF Treaty” or a “zero ballistic missile” arrangement, such proposals have never taken off.¹² If successful unilateral and bilateral efforts cannot be globalized, could their success be replicated at the regional level? The answer would have to be a definite maybe.

Regional measures should be seriously considered because there are multiple missile actors in some regions, and unilateral and even bilateral measures alone are unlikely to address missile-related concerns effectively. But several issues would first have to be considered to get a more definitive answer on their likely success. For instance, could *all* arrangements related to missiles, such as disarmament, non-proliferation, arms control and confidence-building measures, work in all regions or are some regions more conducive to them than others? If it is the latter, then what is it that makes some regions more promising than others? Could regional arrangements be designed to disarm all the strategic ballistic and cruise missiles of countries in the region? Or would they only be able to achieve a degree of arms control, curtailing the use of only some kinds of strategic missiles? Or just prevent the proliferation of ballistic and cruise missiles? Or would they only work at the modest and minimal level of achieving some missile-related confidence-building measures? To answer these questions, this article will study the past and present experience of the three primary regions of missile activity—the Middle East, South Asia and North-East Asia—to evaluate the prospects of the issue of missiles being addressed regionally.

The Middle East

Of the 35 or so countries possessing missiles with ranges in excess of 150km, more than a third are located in the Middle East. In addition, the region has witnessed the most extensive use of ballistic and cruise missiles anywhere in the world since the end of the Second World War.¹³ At the same time, the region presently lacks any form of regional arrangement where missile-related issues could be addressed.

Although the now defunct Arms Control and Regional Security (ACRS) working group, which emerged from the 1991 Middle East Madrid Conference, did provide a format for discussions on

missiles and other related issues, this process did not lead to any concrete measures to address missile concerns for several reasons. First, the absence of Iran, Iraq and Libya from the group and the refusal of Syria to participate meant that even when it was operational ACRS did not represent all the key actors of the region. These absences reflected not only the obvious Arab–Israeli divide but also the equally discordant Arab–Iranian divide. Second, there were differences over which missiles should be considered. Given the proximity of most of the key countries, even very short-range missiles (and rockets) could pose a threat to neighbours. Third, and in light of these serious disagreements, the objective of “a freeze on the acquisition, production, and testing of surface-to-surface ballistic missiles by states in the region, with a view to their ultimate elimination from national arsenals” proved to be much too ambitious for negotiation, let alone agreement.¹⁴ Consequently, by the mid-1990s the process petered out.

According to Gerald Steinberg, “the absence of significant CSBMs [confidence- and security-building measures] turned out to be a major flaw and cause of failure. The impressive list of CSBMs that were discussed and developed in the beginning of the process was gradually eroded.”¹⁵ This perspective was also endorsed by Mohamed Kadry Said, another keen observer of the ACRS process, who noted that in the Middle East the problem is “not limited to confining missile proliferation in its material sense, but to fighting the proliferation of a ‘missile culture’ and the temptation to use such lethal weapons against population centres and the civilian infrastructure”.¹⁶ Both scholars argue strongly in favour of a regional arrangement (like ACRS) pursuing a step-by-step approach to deal with missiles, starting with confidence-building measures (CBMs). These CBMs could include “pre-notification of launches, range limitations, capping of stocks and transparency measures”¹⁷—these are precisely the CBMs with which the ACRS process made substantial progress before it lost momentum.

South Asia

In contrast to other regions, in South Asia only three countries—China, India and Pakistan—possess ballistic and cruise missiles with ranges in excess of 150km. Although the region has witnessed substantial testing activity (some of which was clearly designed to intimidate neighbours), long-range missiles have not yet been used in conflict.¹⁸ While the region presently lacks any form of regional arrangement where missile-related issues could be addressed (neither the South Asian Association for Regional Cooperation—SAARC—nor the Shanghai Cooperative Organisation—SCO—currently have the mandate to discuss these issues), it is the only region that has developed significant missile-related CBMs, particularly between India and Pakistan.

On 3 October 2005 India and Pakistan signed a formal agreement on the pre-notification of flight-testing of ballistic missiles, only the second agreement of its kind.¹⁹ The agreement calls for each side to notify the other “no less than three days in advance of their commencement of a five day launch window within which it intends to undertake flight tests” and to “ensure that the test launch site (s) do not fall within 40 kms, and the planned impact area does not fall within 70 kms, of the International Boundary or the Line of Control”.²⁰ This agreement was the result of a long process that began in February 1999, when the two sides signed a memorandum of understanding and sought “to adopt appropriate measures aimed at preventing misunderstanding and misinterpretation and promoting a stable environment of peace and security”.²¹ One reason why such an agreement was possible between two otherwise hostile neighbours is that it is deliberately modest in scope. For instance, unlike elsewhere, India and Pakistan did not begin by seeking to freeze the acquisition, production or testing of ballistic missiles; they tacitly accepted the presence of such missiles in each other’s arsenals. Similarly, the agreement did not seek to cover *all* missiles, especially cruise missiles, although it was clear that

both India and Pakistan were well on their way to acquiring this capability. Finally, although the arrangement does not cover the deployment, use or even the possible disarmament of certain classes of missiles, it clearly paves the way for further negotiations. Hence, it is quite likely that for a number of reasons, including technological and domestic factors, both India and Pakistan (and possibly China at a later stage) could not only move toward making the agreement more comprehensive (by eventually including cruise missiles) but also explore the possibility of some missile disarmament.

Although there is no comparable agreement between China and India, their 1996 agreement “on Confidence Building Measures in the Military Field along the Line of Actual Control in the India–China Border Areas” does contain the outline of a potential arms control arrangement for missiles. Article III, for instance, gives the two sides the option to reduce or limit the number of particular weapon systems, including “surface-to-surface missiles, surface-to-air missiles and any other weapon system mutually agreed upon”.²² However, such ambitious arms control arrangements are unlikely to come into effect without the presence of and experience with some basic missile-related CBMs, such as providing basic details of missile programmes.

At a later stage, depending on experience with these rather modest CBMs and the comfort level of all three countries with a limited degree of transparency on the missile issue, it might be possible for China, India and Pakistan to negotiate—either bilaterally or trilaterally—the dismantling of a particular class of nuclear-capable ballistic missiles. Among the potential missile candidates for such an arms control and disarmament agreement could be the Prithvi-1, -2 and -3; the Hatf-1, -2 and -3; and the Dong Feng-3 and -4.²³

North-East Asia

Although not as plentiful as in the Middle East, multiple missile actors coupled with the absence of any effective regional mechanism means that even North-East Asia is ill equipped to address the issue of missiles regionally. While, unlike the Middle East, the region has not witnessed any significant missile use, regular tests by all the missile actors in the region have resulted in heightening tension.

The Six-party Talks arrangement (which began in August 2003), though not designed to deal with missile issues specifically, was regarded with great promise and expected to reduce tensions, especially around the issue of missile tests. However, after five rounds and the resumption of missiles tests by the DPRK (breaking an eight-year-long moratorium), followed by its nuclear test on 9 October 2006, the Six-party Talks failed to live up to expectations. Indeed, it could be argued that it was the failure of progress in the Six-party Talks that prompted Pyongyang to resume missile tests. The reasons for the failure of the Six-party Talks are complex, but it is apparent that they were unsuccessful on the missile front possibly because (like the ACRS process) they had an ambitious agenda.²⁴ By all accounts the nascent regional arrangement sought to curb and even reverse the missile arsenal of the DPRK in particular; a non-starter as far as Pyongyang is concerned.

Were the Six-party Talks to resume, a less ambitious agenda on missiles is more likely to succeed. According to Akira Kurosaki, who elaborates a three-stage “model road map for building a regional missile limitation regime in Northeast Asia”, the first stage would inevitably require the establishment of “a regional organization for missile technology control, the prior notice of missile flight test, the exchange of data on missile armaments, and inspections and verification”.²⁵ Although the DPRK has expressed reservations even about the most perfunctory prior notification of a missile test for fear that the missile would be intercepted by the United States “in collusion with Japan”, pre-test notification is still worth seeking at the very least.²⁶

Lessons from regional experiences

Based on the experiences of the Middle East, South Asia and North-East Asia, it is evident that formal regional arrangements (such as SAARC or SCO) have played little or no role in addressing missile issues. On the other hand, informal or ad hoc regional arrangements (such as the ACRS or the Six-party Talks) are useful but not always essential (as evident in the case of South Asia, where none exists). However, in Africa and South America, where formal regional arrangements have contributed to the establishment of local nuclear-weapon-free zones, these same arrangements could be explored to play a role in dealing with missiles.

It is evident that some regions are clearly more conducive to some form of regional missile arrangement than others. Based on the survey of missile regions above it would appear that a regional arrangement based on a key bilateral relationship (such as the—albeit antagonistic—relationship between India and Pakistan) is most likely to succeed. Conversely, a region that has a multiplicity of actors rather than a key bilateral relationship (as in the Middle East and North-East Asia) is less likely to succeed in creating a missile-related arrangement, except at the very lowest common denominator. While the Egyptian–Israeli relationship has the potential for a bilateral security arrangement, it has yet to come to fruition. In any case, the absence of Iran from the relationship would render any missile-related arrangement meaningless. In North-East Asia, a bilateral DPRK–United States relationship could provide the basis for a region-wide arrangement, but this is unlikely in the short term.

In terms of the content of any regional arrangement, arrangements that opt for a step-by-step approach, starting with the least intrusive of CBMs, are the most likely to be accepted. Approaches that set out ambitious non-proliferation, arms control and disarmament objectives are unlikely to succeed in the first instance. The process of establishing CBMs could eventually pave the way for more advanced and ambitious measures; in the absence of CBMs, nothing is likely to work. As the survey above shows, South Asia, which began with modest missile-related CBMs rather than far-reaching disarmament objectives, is the only region to have achieved any sort of effective regional missile arrangement.

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Interestingly, however, other regions have also had some experience with CBMs. For instance, the ACRS process did discuss the prospects of pre-notification of launches and other transparency measures, while in North-East Asia the DPRK unilaterally maintained an eight-year moratorium on missile tests. The challenge would be for new or revived regional arrangements to revisit these CBMs.

Regions that do not currently face similar missile concerns, such as Africa and South America, could also be encouraged to adopt the most basic missile-related CBMs, for example pre-notification of flight tests and other information-sharing and transparency measures, including some of those outlined (but yet to be operationalized) in the Hague Code of Conduct. Depending on regional political dynamics, Africa and South America could also seek more ambitious military constraints on the missile programmes of their countries.

To conclude, it is evident that while efforts at addressing missiles at both the global and the individual country level are commendable, they are unlikely to be effective in the near term. In contrast, regional approaches to addressing missile issues hold more promise. Nonetheless, a one-size-fits-all approach is unlikely to work. Each regional arrangement would have to be tailor made, in the context of the history, geography, technology and politics of the region.

Finally, region-specific missile arrangements have the greatest chance of success if they begin with modest objectives, such as CBMs. Once these minimum objectives are achieved, the arrangement can

build on them and seek more comprehensive approaches to dealing with missiles. This is probably why the UN Secretary-General's 2006 report on missiles, while not discounting the role of global and even individual actors, gives particular emphasis to regional approaches that start with CBMs.²⁷

Notes

1. Although in the past only ballistic missiles were a primary cause of concern on account of their inherent role as delivery systems for nuclear weapons, cruise missiles have also become of concern because of their frequent use with conventional payloads as well as their potential as delivery systems for nuclear, biological and chemical weapons. See International Institute for Strategic Studies, 2005, "A Missile Proliferation Tipping Point?", *Strategic Comments*, vol. 11, no. 8, October.
2. "Defiant Iran Fires Longer-range Missiles", *Middle East Online*, 3 November 2006, at <www.middle-east-online.com/english/Default.pl?id=18120> and "Pyongyang Succeeds in Ratcheting Up Tension but Falls Short of Mastering Missile Technology", *Financial Times*, 6 July 2006.
3. "Pakistan Fires New Cruise Missile", *BBC News*, 11 August 2005, at <news.bbc.co.uk/2/hi/south_asia/4140692.stm> and "South Korea Successfully Tests Longer-range Cruise Missile", *Space War*, 24 October 2006, at <www.spacewar.com/reports/South_Korea_Successfully_Tests_Longer_Range_Cruise_Missile_999.html>.
4. This article will focus only on the political–diplomatic initiatives; see the article by Christophe Carle in this issue of *Disarmament Forum* for more on military–technological initiatives.
5. UN General Assembly resolution 59/91 of 3 December 2004, UN document A/RES/59/91, 17 December 2004.
6. UN General Assembly resolution 60/62 of 8 December 2005, UN document A/RES/60/62, 6 January 2006.
7. General and Complete Disarmament: Report of the First Committee, UN document A/61/394, 14 November 2006. For the text of the resolution, see UN General Assembly draft resolution on missiles, UN document A/C.1/61/L.3, 4 October 2006.
8. UN Security Council resolution 1695 (2006), UN document S/RES/1695(2006), 15 July 2006; resolution 1696 (2006), UN document S/RES/1696(2006), 31 July 2006; resolution 1718 (2006), UN document S/RES/1718(2006), 14 October 2006.
9. Weapons of Mass Destruction Commission, 2006, *Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms*, Stockholm, at <www.wmdcommission.org>.
10. *The Issue of Missiles in All Its Aspects: Report of the Secretary-General*, UN document A/57/229, 23 July 2002, paragraph 32.
11. South Africa terminated its nascent ballistic and even space launch programme in June 1993, while Libya pledged to eliminate ballistic missiles beyond 300km range with a payload of 500kg in December 2003. See the Nuclear Threat Initiative's South Africa Profile on Missiles, updated February 2006, at <www.nti.org/e_research/profiles/SAfrica/Missile/index.html> and its Missile Chronology for Libya, updated September 2005, at <www.nti.org/e_research/profiles/Libya/Missile/3840_5213.html> as well as the White House's Fact Sheet on *The President's National Security Strategy to Combat WMD: Libya's Announcement*, 19 December 2003, at <www.whitehouse.gov/news/releases/2003/12/20031219-8.html>.
12. For details of such ambitious (and perhaps impossible to implement) proposals see Thomas Graham and Dinshaw Mistry, 2006, "Two Treaties to Contain Missile Proliferation", *Disarmament Diplomacy* 82, Spring, at <www.acronym.org.uk/dd/dd82/82tgdm.htm>; and Randy Rydell, 2002, "Models for Missile Disarmament: In Search of a Political Foundation", *INESAP Briefing Paper no. 9*, March, at <www.inesap.org/pdf/Briefing9_02.pdf>.
13. Missiles were widely used during the 1980–1988 Iran–Iraq war, the 1991 US-led war on Iraq and the 2003 US-led war and occupation of Iraq. Missiles were also used against Iraq in 1998 as part of the United States–United Kingdom Operation Desert Fox and in July 2006 Hezbollah fired nearly 4,000 rockets and missiles at Israeli targets. Although these are not the only instances of the use of ballistic and cruise missiles, they are probably the most significant military use.
14. Reuven Pedatzur, 2001, "The Missile Race in the Middle East: Is There a Way Out?", *Moving Beyond Missile Defense*, INESAP Bulletin no. 18, September, at <www.inesap.org/bulletin18/bul18art12.htm>.
15. Gerald M. Steinberg, 2001, "Starting Over: The Prospects for Regional Security and Arms Control in the Middle East in the Next Decade", *Disarmament Forum*, no. 2, at <www.unidir.org/pdf/articles/pdf-art79.pdf>, p. 72.
16. Mohamed Kadry Said, 2001, "Missile Proliferation in the Middle East: A Regional Perspective", *Disarmament Forum*, no. 2, at <www.unidir.org/pdf/articles/pdf-art75.pdf>, p. 59.
17. *Ibid.*, p. 60.

18. Perhaps the only two exceptions are the barrage of Scud ballistic missiles used by government forces to break the siege of Jalalabad during the Afghan civil war in the 1990s and the use of cruise missiles by the United States against suspected militant camps in Afghanistan (1998 and 2001–2002).
19. See Erin Creegan, 2005, "India, Pakistan Sign Missile Notification Pact", *Arms Control Today*, November. The other agreement is the Russian Federation–United States Memorandum of Understanding on Notifications of Missile Launches of 16 December 2000.
20. Agreement between the Republic of India and the Islamic Republic of Pakistan on Pre-Notification of Flight Testing of Ballistic Missiles, 3 October 2005.
21. Ibid.
22. Agreement between the Government of the Republic of India and the Government of the People's Republic of China on Confidence Building Measures in the Military Field along the Line of Actual Control in the India–China Border Areas, 29 November 1996.
23. For details see Waheguru Pal Singh Sidhu, 2004, "A Languid but Lethal Arms Race", *Disarmament Forum*, no. 2, at <www.unidir.org/pdf/articles/pdf-art2115.pdf>, pp. 16–17.
24. See John S. Park, 2005, "Inside Multilateralism: The Six-party Talks", *Washington Quarterly*, Autumn, at <www.twq.com/05autumn/docs/05autumn_park.pdf>, for the principle factors behind the failure of the process.
25. Akira Kurosaki, 2004, *Moving Beyond Deterrence and Missile Defense: A Case for Building a Regional Missile Limitation Regime in Northeast Asia*, INESAP Briefing Paper no. 13, November, at <www.inesap.org/pdf/Briefing13_04.pdf>, Table 1.
26. "DPRK Foreign Ministry Spokesman on Its Missile Launches", *Korean Central News Agency*, 6 July 2006, at <www1.korea-np.co.jp/pk/231th_issue/20060706.htm>.
27. *The Issue of Missiles in All Its Aspects: Report of the Secretary-General*, UN document A/61/168, 20 July 2006.